

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GILBERT PINEDA,

Plaintiff,

4:21CV3332

vs.

NKS RESTAURANTS, LC,

Defendant.

**FINAL PROGRESSION ORDER
(AMENDED)**

IT IS ORDERED the that the Plaintiff's unopposed motion to extend deadlines ([Filing No. 31](#)) is granted. The final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The parties should contact chambers to request a status conference if they wish to discuss case progression, the parties' interest in settlement, or the trial and pretrial conference settings.
- 2) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, is December 19, 2022.
- 3) The deadline for filing motions to dismiss and motions for summary judgment is January 20, 2023.
- 4) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is January 20, 2023.
- 5) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 6) The parties shall comply with all other stipulations and agreements recited

in their Rule 26(f) planning report that are not inconsistent with this order.

- 7) All other case progression deadlines are unchanged. All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 15th day of November, 2022.

BY THE COURT:

s/ Cheryl R. Zwart

United States Magistrate Judge